

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM FOR INTEGRATED MANAGEMENT OF MESSAGING AND COMMUNICATIONS**

the specification of which (check only one item below):

- ☐ is attached hereto
- ☐ was filed as United States Application Serial No. \_\_\_\_\_  
on \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).
- ☒ was filed as PCT International Application Number **PCT/US97/20986** on  
**17 November 1997 (17.11.97)** and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United State code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (of PCT indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

<b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONTINUED)</b> (Includes Reference to PCT International Applications)				<b>ATTORNEY DOCKET NUMBER</b> P0129/170179	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:</b>					
<b>U.S. APPLICATIONS</b>			<b>STATUS (Check One)</b>		
<b>U.S. APPLICATION NUMBER</b> 60/031,301	<b>U.S. FILING DATE</b> 18 November 1996	<b>PATENTED</b>	<b>PENDING</b>	<b>ABANDONED</b> <div style="text-align: center;">X</div>	
<b>PCT APPLICATIONS DESIGNATING THE U.S.</b>					
<b>PCT APPLICATION NO</b> PCT/US97/20986	<b>PCT FILING DATE</b> 11 November 1996	<b>U.S. SERIAL NUMBERS ASSIGNED (if any)</b> 09/308,436	<b>PATENTED</b>	<b>PENDING</b> <div style="text-align: center;">X</div>	<b>ABANDONED</b>
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. <i>(List name and registration number)</i> John S. Pratt 29,476; James L. Ewing, IV 30,630; Dean W. Russell 33,452; Richard A. Clegg 33,485; Bruce D. Gray 35,799; James E. Ruland 37,432; Mitchell G. Stockwell 39,389; Geoff L. Sutcliffe 36,348; Michael J. Turton 40,852; Edwina T. Washington 43,187; Camilla C. Williams P43,992; Nora M. Tocups 35,717					
<b>Send Correspondence to:</b> John S. Pratt, Esq. Kilpatrick STOCKTON LLP 1100 Peachtree Street, Suite 2800 Atlanta, GA 30309-4530			<b>Direct Telephone Calls to:</b> Nora M. Tocups, Esq. (404) 815-6213		
2 0 1	<b>FULL NAME OF INVENTOR</b> <b>FAMILY NAME</b> <b>CITY</b> <b>POST OFFICE ADDRESS</b> FREISHTAT Dunwoody 2078 Renfroe Lake Drive	<b>FIRST GIVEN NAME</b> <b>STATE OR FOREIGN COUNTRY</b> <b>CITY</b> Gregg Georgia Dunwoody	<b>SECOND GIVEN NAME</b> <b>COUNTRY OF CITIZENSHIP</b> <b>STATE &amp; ZIP CODE/COUNTRY</b> S. US Georgia 30338, US		
2 0 2	<b>FULL NAME OF INVENTOR</b> <b>FAMILY NAME</b> <b>CITY</b> <b>POST OFFICE ADDRESS</b> LEITESS Atlanta 929 Highland Terrace NE	<b>FIRST GIVEN NAME</b> <b>STATE OR FOREIGN COUNTRY</b> <b>CITY</b> James Georgia Atlanta	<b>SECOND GIVEN NAME</b> <b>COUNTRY OF CITIZENSHIP</b> <b>STATE &amp; ZIP CODE/COUNTRY</b> K. US Georgia 30306, US		
2 0 3	<b>FULL NAME OF INVENTOR</b> <b>FAMILY NAME</b> <b>CITY</b> <b>POST OFFICE ADDRESS</b> COWDEN Tampa 502 S. Fremont Ave. Apt. 232	<b>FIRST GIVEN NAME</b> <b>STATE OR FOREIGN COUNTRY</b> <b>CITY</b> Michael Florida Tampa	<b>SECOND GIVEN NAME</b> <b>COUNTRY OF CITIZENSHIP</b> <b>STATE &amp; ZIP CODE/COUNTRY</b> J. US Florida 33606, US		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.					
<b>SIGNATURE OF INVENTOR 201</b> Nonsigning inventor - completed on added page		<b>SIGNATURE OF INVENTOR 202</b> Nonsigning inventor - completed on added page		<b>SIGNATURE OF INVENTOR 203</b> Nonsigning inventor - completed on added page	
<b>DATE</b>		<b>DATE</b>		<b>DATE</b>	

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONTINUED) (Includes Reference to PCT International Applications)				ATTORNEY DOCKET NUMBER P0129/170179	
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
		SMITH	David	Gregory	
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
		Tampa	Florida	US	
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY	
		5312 S. Crescent Dr.	Tampa	Florida 33611, US	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.</p>					
SIGNATURE OF INVENTOR 204 Nonsigning inventor - completed on added page					
DATE					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gregg S. Freishtat et al.

Serial No.: 09/308,436

Filed: November 17, 1997

For: SYSTEM FOR INTEGRATED  
MANAGEMENT OF  
MESSAGING AND  
COMMUNICATIONS

GROUP ART UNIT:

EXAMINER:

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR SIGNATURE BY PERSON ON BEHALF OF ENTITY  
WITH SUFFICIENT PROPRIETARY INTEREST TO MAKE APPLICATION  
ON BEHALF OF NONSIGNING INVENTORS WHO REFUSE TO SIGN OR  
CANNOT BE REACHED (37 CFR 1.47(b))**

I, Nora M. Tocups, hereby declare that:

I. I am a citizen of the United States of America

residing at 140 Pinecrest Avenue, Decatur, Georgia, 30030, U.S.

II. I am authorized to sign the Combined Declaration by the following person or  
juristic entity with sufficient proprietary interest,

Premiere Communications, Inc.

3399 Peachtree Road, N.E., The Lenox Building, Suite 400, Atlanta, Georgia,  
30326, U.S.

III. By virtue of this authorization and the proprietary interest of Premiere  
Communications, Inc., I sign this declaration on behalf of, and as agent for:

Gregg S. Freishtat, a nonsigning inventor who cannot be reached or who has refused to sign. Mr. Freishtat is a U.S. Citizen and his last known address is: 2078 Renfroe Lake Drive, Dunwoody, Georgia, 30338, U.S.

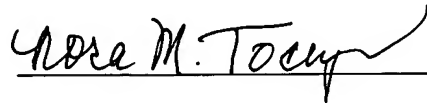
James K. Leitess, a nonsigning inventor who cannot be reached or who has refused to sign. Mr. Leitess is a U.S. Citizen and his last known address is: 929 Highland Terrace, N.E., Atlanta, Georgia 30306-3413, U.S.

Michael J. Cowden, a nonsigning inventor who cannot be reached or who has refused to sign. Mr. Cowden is a U.S. Citizen and his last known address is: 1074 Peachtree Walk, B317, Atlanta, Georgia 30309, U.S.

David Gregory Smith, a nonsigning inventor who cannot be reached or who has refused to sign. Mr. Smith is a U.S. Citizen and his last known address is: 5312 S. Crescent Drive, Tampa, Florida 33611-4126, U.S.

IV. Upon information and belief, I aver those facts that the inventors are required to state, 37 CFR 1.64(b).

Date: December 20, 1999

A handwritten signature in cursive script, reading "Nora M. Tocups", written over a horizontal line.

Nora M. Tocups - Attorney for Assignee

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gregg S. Freishtat et al.

Serial No.: 09/308,436

Filed: November 17, 1997

For: SYSTEM FOR INTEGRATED  
MANAGEMENT OF  
MESSAGING AND  
COMMUNICATIONS

GROUP ART UNIT:

EXAMINER:

The specification of which was described and claimed in International Application No. PCT/US97/20986 filed on November 17, 1997

**STATEMENT BY PERSON AUTHORIZED BY ENTITY HAVING  
PROPRIETARY INTEREST TO MAKE APPLICATION ON BEHALF OF  
NONSIGNING INVENTORS**

I. I, Nora M. TocupsResiding at 140 Pinecrest Avenue, Decatur, Georgia, 30030, U.S.

am authorized by Premiere Communications, Inc. as the entity having a proprietary interest to sign the declaration on the above-identified application on behalf of the nonsigning inventors and make this statement as to the facts establishing Premiere's proprietary interest. In support of my authority, attached is the General Power of Attorney and PCT Power of Attorney appointing certain attorneys of Kilpatrick Stockton LLP as Agent on behalf of Premiere and filed in the International Application, PCT/US97/20986, and the Appointment of Associate Attorney filed in the present application with the United States Patent and Trademark Office on May 18, 1999.

II. As of the date I signed the declaration for this application, the proprietary interest in this invention belonged to the following juristic person or entity:

Premiere Communications, Inc.

3399 Peachtree Road, N.E., The Lenox Building, Suite 400, Atlanta, Georgia,  
30326, U.S.

and I am authorized to sign the statement on behalf of the juristic person, my title being  
Attorney for Assignee.

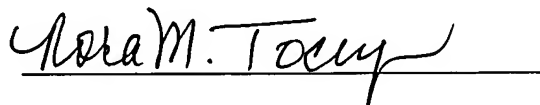
III. I establish the proprietary interest of Premiere in the application by:

Attaching a copy of the Assignment of this invention by the nonsigning inventors. The  
Assignment is dated November 18, 1996, and was recorded at the United States Patent  
and Trademark Office on November 18, 1996 at Reel/Frame 8299/0569.

IV. Assignee's Statement

According with 37 CFR 3.73, the attorney for the assignee hereby states that the  
evidentiary documents with respect to the assignee's ownership have been reviewed and  
that to the best of my knowledge, title is in the assignee seeking to take this action.

Date: December 20, 1999

A handwritten signature in cursive script, reading "Nora M. Tocups", written over a horizontal line.

Nora M. Tocups - Attorney for Assignee

# PATENT COOPERATION TREATY

## General Power of Attorney

The undersigned applicant hereby appoints the following:

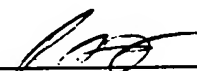
John S. Pratt	Reg. No. 29,476
James L. Ewing, IV	Reg. No. 30,630
Dean W. Russell	Reg. No. 33,452
Dale Curtis Hogue, Sr.	Reg. No. 32,832
George T. Marcou	Reg. No. 33,014
Michael D. Bednarek	Reg. No. 32,329
Roy D. Meredith	Reg. No. 30,777
Richard A. Clegg	Reg. No. 33,485
Charles T. Simmons	Reg. No. 35,359
Bruce D. Gray	Reg. No. 35,799
Marcus Delgado	Reg. No. 38,122
Nagendra Setty	Reg. No. 38,300
Mitchell G. Stockwell	Reg. No. 39,389
Michael F. Labbee	Reg. No. 39,738
Richard T. Peterson	Reg. No. 35,320
Geoff L. Sutcliffe	Reg. No. 36,348
Mitchell G. Weatherly	Reg. No. P40,864

all of KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309, as Agent on its behalf before the competent International Authorities and before the national authorities with any and all international applications filed or to be filed by the undersigned applicant.

Signed at Atlanta, Georgia U.S.A.

Date: 11/13/97, 1997

PREMIERE COMMUNICATIONS, INC.

By: 

Name: PATRICIA G. JONES

Title: J.R. V.P.



**PCT**  
**POWER OF ATTORNEY**  
(for an international application filed under the Patent Cooperation Treaty)  
(PCT Rule 90.4)

The undersigned applicant(s) (*Names should be indicated as they appear in the request*):

FREISHTAT, Gregg S.  
LEITESS, James K.  
COWDEN, Michael J.  
SMITH, David Gregory

hereby appoints the following person as: ☒ agent ☐ common representative

**Name and address**

(*Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.*)

PRATT, John S.; EWING, IV, James L.; BEDNAREK, Michael D.; HOGUE, Sr., Dale Curtis; MARCOU, George T.; RUSSELL, Dean W.; CLEGG, Richard A.; PETERSON, Richard T.; SIMMONS, Charles T.; GRAY, Bruce D.; BECK, George C.; SETTY, Nagendra; STOCKWELL, Mitchell G.; LABBEE, Michael F.; SUTCLIFFE, Geoff L.; DELGADO, Marcus; FORTKORT, Michael P.; MEREDITH, Roy D.; WEATHERLY, Mitchell G.

KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309-4530 United States of America

to represent the undersigned before ☒ all the competent International Authorities  
☐ the International Searching Authority only  
☐ the International Preliminary Examining Authority only

in connection with the international application identified below:

**Title of the invention: SYSTEM FOR INTEGRATED MANAGEMENT  
OF MESSAGING AND COMMUNICATIONS**

**Applicant's or agent's file reference: 98145PCT**

**International application number:**

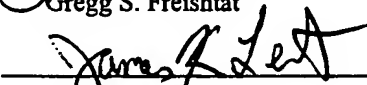
filed with the following Office: U.S. Receiving Office of the PCT as receiving Office and to make to receive payments on behalf of the undersigned.

**Signature of applicant(s)**

(*where there are several applicant, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power*);

By:   
Gregg S. Freishtat

Date: 11/13/97

By:   
James K. Leites

Date: 11/13/97

By:   
Michael J. Cowden

Date: 11/13/97

By: \_\_\_\_\_  
David Gregory Smith

Date: \_\_\_\_\_

**PCT**  
**POWER OF ATTORNEY**  
(for an international application filed under the Patent Cooperation Treaty)  
(PCT Rule 90.4)

The undersigned applicant(s) *(Names should be indicated as they appear in the request)*:

SMITH, David Gregory

hereby appoints the following person as: ☒ agent ☐ common representative

**Name and address**

*(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

PRATT, John S.; EWING, IV, James L.; BEDNAREK, Michael D.; HOGUE, Sr., Dale Curtis; MARCOU, George T.; RUSSELL, Dean W.; CLEGG, Richard A.; PETERSON, Richard T.; SIMMONS, Charles T.; GRAY, Bruce D.; SETTY, Nagendra; STOCKWELL, Mitchell G.; LABBEE, Michael F.; SUTCLIFFE, Geoff L.; DELGADO, Marcus; FORTKORT, Michael P.; MEREDITH, Roy D.; WEATHERLY, Mitchell G.

KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309-4530 United States of America

to represent the undersigned before ☒ all the competent International Authorities  
☐ the International Searching Authority only  
☐ the International Preliminary Examining Authority only

in connection with the international application identified below:

**Title of the invention: SYSTEM FOR INTEGRATED MANAGEMENT  
OF MESSAGING AND COMMUNICATIONS**

**Applicant's or agent's file reference: 98145PCT**

**International application number: PCT/US97/20986**

filed with the following Office: U.S. Receiving Office of the PCT as receiving Office and to make to receive payments on behalf of the undersigned.

**Signature of applicant(s)**

*(where there are several applicant, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):*

By: David Gregory Smith  
David Gregory Smith

Date: 3/19/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg S. Freishtat, James K. Leites, Michael J. Cowden, and  
David Gregory Smith

Serial No.

For: *SYSTEM FOR INTEGRATED MANAGEMENT OF MESSAGING  
AND COMMUNICATIONS*

Assistant Commissioner  
for Patents  
Washington, D. C. 20231

Attorney Docket No. P0129/170179

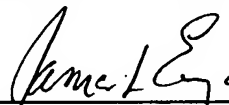
Date: May 18, 1999

**APPOINTMENT OF ASSOCIATE ATTORNEY**

Sir:

Please recognize Nora M. Tocups, Reg. No. 35,717, as my Associate Attorney in the above-entitled application, and address all future correspondence to: John S. Pratt, Esq., Kilpatrick Stockton LLP, Suite 2800, 1100 Peachtree Street, Atlanta, Georgia 30309-4530.

Respectfully submitted,

  
\_\_\_\_\_  
James L. Ewing, IV  
Reg. No. 30,630

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309-4530  
404.815.6500



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 20, 1997

PTAS



\*100338037A\*

KILPATRICKY & CODY  
JOHN S. PRATT  
SUITE 2800  
1100 PEACHTREE STREET  
ATLANTA, GA 30309-4530

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/18/1996

REEL/FRAME: 8299/0569  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
FREISHTAT, GREGG S.

DOC DATE: 11/18/1996

ASSIGNOR:  
LEITESS, JAMES K.

DOC DATE: 11/18/1996

ASSIGNOR:  
COWDEN, MICHAEL J.

DOC DATE: 11/18/1996

ASSIGNOR:  
SMITH, DAVID GREGORY

DOC DATE: 11/18/1996

ASSIGNEE:  
PREMIERE COMMUNICATIONS, INC.  
3399 PEACHTREE ROAD, N.E.  
THE LENOX BUILDING, SUITE 400  
ATLANTA, GEORGIA 30326

SERIAL NUMBER: 60031301  
PATENT NUMBER:

FILING DATE: 11/18/1996  
ISSUE DATE:

Entered Computer

3/27/97

8299/0569 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

1h-581  
01-16-1997

A/D  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



100338037

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:

Please record the attached original documents or copy thereof.

ATTORNEY DOCKET NO.: P0129/098145

1. Name of conveying party(ies):

Gregg S. Freishtat  
James K. Leites  
Michael J. Cowden  
David Gregory Smith

Additional names of conveying party(ies) attached?

☐ YES ☒ NO

2. Name and address of receiving party(ies):

Name: Premiere Communications, Inc.  
Internal Address: 3399 Peachtree Road, N.E., The Lenox Building, Suite 400  
Street Address: 3399 Peachtree Road, N.E., The Lenox Building, Suite 400  
City, State, Zip: Atlanta, Georgia 30326  
Additional name(s) and address(es) attached?  
☐ YES ☒ NO

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger	<input type="checkbox"/> Other
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name	

Execution Date: November 18, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ YES ☒ NO

5. Name and address of party to whom correspondence concerning document should be mailed:

John S. Pratt  
KILPATRICKY & CODY  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
(404) 815-6500

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

☒ Enclosed  
☐ Authorized to be charged to Deposit Account.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0855

8. Deposit account number: 11-0855

(Attach duplicate copy of this form if paying by deposit account)

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael F. Labbee

November 18, 1996

Total Number of Pages Including Cover Sheet, Attachments, and Document: 3

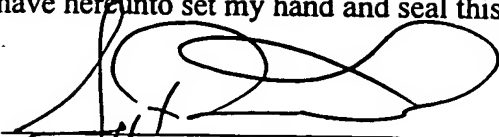
## ASSIGNMENT

WHEREAS, we, Gregg S. Freishtat, James K. Leites, Michael J. Cowden and David Gregory Smith, have invented certain improvements in SYSTEM FOR INTEGRATED MANAGEMENT OF MESSAGING AND COMMUNICATIONS for which a provisional application is to be filed on November 18, 1996, and

WHEREAS, Premiere Communications, Inc., a corporation having an office at 3399 Peachtree Road, N.E., The Lenox Building, Suite 400, Atlanta, Georgia 30326, desires to purchase same;


NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by Premiere Communications, Inc., the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto Premiere Communications, Inc., in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said application, in and to the invention therein set forth and in and to any patent which may issue on said application or any reissue, renewal, division, or continuation thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18 day of November, 1996.

  
Gregg S. Freishtat

STATE OF GEORGIA    )  
                                  ) ss.  
COUNTY OF Fulton    )

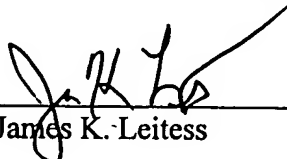
On this 18 day of November, 1996, before me, a notary public, came, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Notary Public

(SEAL)

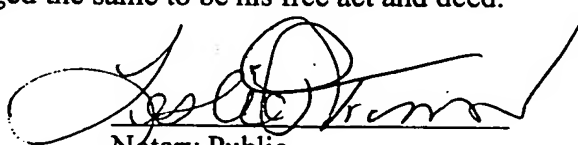
My Commission expires: Notary Public, Fulton County, Georgia  
My Commission Expires Dec. 21, 1998

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18 day of November, 1996.

  
James K. Leitess

STATE OF GEORGIA    )  
                                  ) ss.  
COUNTY OF Fulton    )

On this 18 day of November, 1996, before me, a notary public, came, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

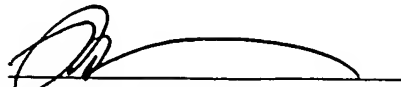
  
Notary Public

(SEAL)

My Commission expires: Notary Public, Fulton County, Georgia  
My Commission Expires Dec. 21, 1998




IN WITNESS WHEREOF, I have hereunto set my hand and seal this 13 day of November, 1996.

  
Michael J. Cowden

STATE OF GEORGIA     )  
COUNTY OF Fulton     ) ss.

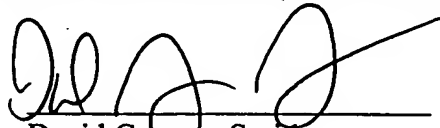
On this 13 day of November, 1996, before me, a notary public, came, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Notary Public

(SEAL)

My Commission expires Notary Public, Fulton County, Georgia  
My Commission Expires Dec. 21, 1998

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18 day of November, 1996.

  
David Gregory Smith

STATE OF GEORGIA     )  
COUNTY OF Fulton     ) ss.

On this 18 day of November, 1996, before me, a notary public, came, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Notary Public

(SEAL)

My Commission expires Notary Public, Fulton County, Georgia  
My Commission Expires Dec. 21, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg S. Freishtat et al.

Serial No.: 09/308,436

Examiner:

Filing Date: November 17, 1997

Group Art Unit:

For: SYSTEM FOR INTEGRATED MANAGEMENT  
OF MESSAGING AND COMMUNICATIONS

DECLARATION OF KAREN D. STARK

My name is Karen D. Stark and my principal residence is at 109 Chancey Drive, Douglasville, Georgia 30134. I am a paralegal in the Atlanta, Georgia office of the law firm of Kilpatrick Stockton, LLP, Suite 2800, 1100 Peachtree Street, NW, Atlanta, Georgia 30309 ("Kilpatrick"). Kilpatrick Stockton LLP represents Premiere Communications, Inc. ("Premiere") generally with respect to patent prosecution matters and specifically with respect to the above-referenced patent application. I regularly assist Nora M. Tocups, an attorney of the firm and other attorneys of the firm in rendering patent prosecution services to Premiere.

Based on my review of the relevant files, a provisional patent application entitled "System for Integrated Management of Messaging and Communications" was filed by Kilpatrick on behalf of Premiere on November 18, 1996 with the United States Patent and Trademark Office ("PTO"). This provisional patent application was assigned U.S. Serial No. 60/031,301. An international PCT patent application claiming priority to this provisional patent application was filed with the PCT authorities on November 17, 1997 and assigned PCT International Application Number PCT/US97/20986 ("PCT application"). The present application is the United States national phase application of the PCT application. The present application was filed on May 17, 1999, and was assigned Serial No. 09/308,436.

Also based on my review of the relevant files, I noted that efforts had been made prior to the filing of the present application to present the application papers to the inventors for their review and signature. In particular, I attach copies of documents from the files that demonstrate these efforts as follows:

Letter of May 22, 1998 to Mr. David Gregory Smith, attached as Exhibit 1.

Letter of June 11, 1998 to John L. Latham, Esq., attached as Exhibit 2.

Letter to July 24, 1998 to Mr. Gregg Freishtat, attached as Exhibit 3.

In the present application, a *Notification of a Defective Oath or Declaration, Form PCT/DO/EO/917* was received by Kilpatrick from the PTO with a mailing date of June 18, 1999. In response to the *Notification*, I was instructed by Ms. Tocups to present the application papers again to three of the four inventors for their review and signature. Only three of the inventors were to be presented the application papers again because the files appeared to include signed application papers from the fourth inventor: Gregg S. Freishtat.

To make the presentation to the three inventors, I performed a search using a computer database known as *Lexis EZFIND Combined Person Locator Nationwide* to obtain the current addresses for the three inventors: David Gregory Smith, Michael James Cowden, and James Kenneth Leites ("the three inventors"). A copy of the results of this search is attached as Exhibit 4.

On September 14, 1999, I prepared and mailed by First Class United States mail a package including a letter to each of the three inventors at the addresses found in the search. Copies of these letters are attached as Exhibit 5. The substantive text of all three letters was the same in requesting the respective inventor to review the enclosures, and if appropriate, to sign, date and return the enclosed Combined Declaration to Kilpatrick in the postage-paid pre-addressed envelope by October 1, 1999. All three of the packages also included a copy of the PCT application, a copy of an Assignment already executed by the inventors, and the unexecuted Combined Declaration for Patent Application.

On September 20, 1999, Kilpatrick received as returned the package that had been addressed to one of the inventors, Mr. Cowden, at 502 S. Fremont Ave., Apt 232, Tampa, Florida, 33606-2098, because the addressee had moved and had left no forwarding address. A copy of the front of the returned package is attached as Exhibit 6.

I contacted Premiere, and was provided with a different address (1074 Peachtree Walk, B317, Atlanta, Georgia 30309) for Mr. Cowden. On September 27, 1999, I mailed a package similar to the one previously mailed to Mr. Cowden, but to the different address. The package differed only that in the text of the September 27th

letter, I apologized for the short return date. A copy of the September 27, 1999 letter to Mr. Cowden is attached as Exhibit 7.

On information and belief, except for the returned package mentioned above, Kilpatrick did not receive any communications from the inventors with respect to the packages that had been sent to the inventors. On October 21-22, 1999, I contacted the local telecommunications service provider, BellSouth Corporation, for telephone numbers of the three inventors. I obtained a telephone number for Mr. Leites. But there were many listings using the names or similar names to the other inventors, and I could not narrow the list. A file memorandum dated October 22, 1999 documented my efforts in trying to find telephone numbers for the three inventors. The memorandum is attached as Exhibit 8.

On October 21, 1999, I called Mr. Leites and spoke to him personally regarding the package mailed to him. Mr. Leites confirmed he had received the package and told me he would put the signed Declaration in the pre-paid envelope and mail the document the next day (October 22, 1999).

Having heard nothing nor received anything from Mr. Cowden nor Mr. Smith, I prepared and mailed by Certified United States Mail follow-up packages on October 25, 1999 to Mr. Cowden and Mr. Smith. These follow-up packages included a letter dated October 25, 1999 from Ms. Tocups requesting the inventors again to review the application papers, and if appropriate, to sign and return the Combined Declaration in the pre-addressed enclosed envelope. The letter asked the inventor to contact Ms. Tocups if the inventor did not believe it appropriate to sign the Declaration. Copies of these letters are attached as Exhibit 9. On information and belief, neither Mr. Cowden nor Mr. Smith returned anything to Kilpatrick nor contacted anybody at Kilpatrick.

Mr. Leites was not provided with an October 25, 1999 follow-up package as were Mr. Cowden and Mr. Smith. Based on my October 21, 1999 telephone conference with Mr. Leites, I expected him to follow-through on his statement that he would sign and return the Combined Declaration.

The packages sent to Mr. Cowden and Mr. Smith were returned to Kilpatrick in November as "unclaimed". A copy of the front of the returned packages is attached as Exhibit 10.

I began work on drafting a Petition Under 37 CFR 1.47(a) for review, revision, and execution by Ms. Tocups. At the time, I believed that we had at least one of the inventors signatures on a Combined Declaration dated July 29, 1998. But I noted that the copy of the Combined Declaration bearing Mr. Freishtat's signature was only two-pages and did not include a signature block for one of the inventors. There appeared to be no signature block on the Combined Declaration for Mr. Smith. I found copies

of the unexecuted Combined Declaration in the file, but these file copies were three pages long and included a signature block for each of the four inventors. On these unexecuted copies of the Combined Declaration in the file, a signature block for Mr. Smith (lacking from the two-page Combined Declaration) appears on the third page. My initial impression was that Mr. Freishtat had signed the Combined Declaration, but had only returned the first two pages of the Combined Declaration.

A closer inspection of the unexecuted copies of the Combined Declaration in the file indicated an anomaly in the pagination. Page 1 is marked as Page 1 of 2; Page 2 is marked as Page 2 of 2; and Page 3 is marked as Page 3 of 3. Thus, I was uncertain whether the Combined Declaration that Mr. Freishtat had signed on July 29, 1998 included the third page bearing a signature block for Mr. Smith.

Based on Ms. Tocups' instructions, I prepared a package for Mr. Freishtat on November 23, 1999. This package was transmitted using the Federal Express overnight service. The Freishtat package included a letter dated November 23, 1999 from Ms. Tocups and copies of the PCT application, an executed Assignment, the Combined Declaration of two pages executed by Mr. Freishtat on July 29, 1998, and a new unexecuted Combined Declaration. The letter requested Mr. Freishtat to review the enclosed materials, and if appropriate, to sign and return the new Combined Declaration in the pre-addressed envelope by December 6, 1999. Copies of the November 23, 1999 letter and Federal Express Airbill are attached as Exhibit 11.

To this date, I have not received nor further heard from any of the inventors. On information and belief, Kilpatrick has not received an executed Combined Declaration from any of the inventors or any other communication relating to this matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Dated: December 23, 1999 Karen D. Stark  
Karen D. Stark

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

E-mail: [mlabbee@kilstock.com](mailto:mlabbee@kilstock.com)  
Direct Dial: 404.815.6217

May 22, 1998

**Via Federal Express**  
Mr. David Gregory Smith  
Z-Tel Technologies, Inc.  
777 S. Harbor Island Blvd., Suite 990  
Tampa, Florida

Re: International Application No. PCT/US97/20986 of  
Premiere Communications, Inc.  
**System for Integrated Management of  
Messaging and Communications**  
Our Ref. No. P0129/170179

Dear Mr. Smith:

Enclosed is a Declaration for Patent Application, which requires your signature as a named inventor in the above-identified international application. Please sign and date the document where indicated and return the executed original to us in the self-addressed prepaid Federal Express envelope provided no later than **June 8, 1998**.

If you have any questions or comments, please do not hesitate to contact us.

Sincerely,



Michael F. Labbee

MFL/bjo  
Enclosures

cc w/o enc: Mr. Patrick L. Jones

ATLLIB01 599224.1

Mr. Gregory David Smith  
May 22, 1998  
Page 2

bcc w/o enc: James L. Ewing, Esq.  
David A. Stockton, Esq.

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

June 11, 1998

E-mail: bowens@kdlstock.com  
Direct Dial: 404.815.6524

**Via Courier**

John L. Latham, Esq.  
Alston & Bird LLP  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424

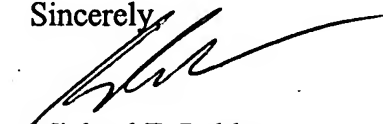
Re: International Application No. PCT/US97/20986, corresponding to  
U.S. Provisional Application No. 60/031,301  
**System for Integrated Management of Messaging and  
Communications**  
Our Ref: P0129/170179

Dear John:

As we discussed, enclosed is a Combined Declaration For Patent Application and Power of Attorney, with reference to the above-identified application, that requires the signature of David Gregory Smith as an inventor in this matter. Please have him sign the document where indicated and immediately return the original executed document in the attached self-addressed prepaid Federal Express envelope.

If you have any questions, please do not hesitate to contact us.

Sincerely,



Michael F. Labbee

Enclosure

cc w/o enc: Mr. Patrick G. Jones  
James L. Ewing IV, Esq.



**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

July 24, 1998

E-mail: mlabbee@kilstock.com  
Direct Dial: 404.815.6217

Mr. Gregg Freishtat  
Premiere Communications, Inc.  
3399 Peachtree Road, NE  
The Lenox Building, Suite 400  
Atlanta, Georgia 30326

Re: International Application No. PCT/US97/20986  
claiming priority to U.S. Provisional Serial No. 60/031,301  
Filed: November 17, 1997  
**System for Integrated Management of Message  
and Communications**  
Our Ref. No. P0129/170179

Dear Gregg:

We are in the process of preparing the necessary transmittal documents required to enter the above-identified application into the national phase entry in the United States. In order to complete the process, the enclosed Combined Declaration must be signed and dated by all inventors. Please sign and date this document where indicated and take care of obtaining the signatures of James Leitess and Michael Cowden. We ask that the original executed Combined Declaration be returned to us as soon as possible for filing in the U.S. Patent Office.

We have previously sent a blank Combined Declaration form to David Gregory Smith's attorney to obtain his signature. Once these documents are returned to our office, we will promptly proceed with filing the application in the United States in order to accelerate prosecution of this application in this country.

As discussed, the national phase entry of this application in the designated countries will be delayed until May 18, 1999.

ATLLIB01 630478.1

**KILPATRICK STOCKTON LLP**

Mr. Gregg Freishtat

July 24, 1998

Page 2

If you have any questions or comments, please do not hesitate to contact us.

Sincerely,



Michael F. Labbee

MFL/bjo  
Enclosure

cc w/o enc: Mr. Patrick G. Jones  
James L. Ewing, Esq.

Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide  
Terms: (smith and david and gregory) and address (florida) ([Edit Search](#))

SMITH, DAVID GREGORY

\* \* \* THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY \* \* \*

**PERSON LOCATOR: P-SEEK**

**Name:** SMITH, DAVID GREGORY

**Spouse First Name/Initial:** C

**Consumer Name Last Updated:** 10/26/1996

**Current Address:** 5312 S CRESCENT DR, TAMPA, FL 33611-4126

**Previous Addresses:** 3897 WIEUCA RD NE  
ATLANTA, GA 30342-4331  
Address Type: SINGLE FAMILY  
Address Created: 11/27/1992  
Address Updated: 3/8/1999

*no phone list: 3*

5312 W CRESCENT DR  
TAMPA, FL 33611-4126  
Address Type: SINGLE FAMILY  
Address Created: 10/23/1998  
Address Updated: 11/26/1998

**Current Address Type:** SINGLE FAMILY

**Current Address Created:** 8/1/1996

**Current Address Updated:** 7/14/1999

**Birthyear:** 1959

**Gender:** MALE

**On File Since:** 10/17/1989

**Date Vendor Record Last Updated:** 7/14/1999

Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide  
Terms: (smith and david and gregory) and address (florida) ([Edit Search](#))  
View: Full  
Date/Time: Monday, September 13, 1999 - 11:55 AM EDT

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Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide  
Terms: (cowden and michael) and address (georgia) ([Edit Search](#))

COWDEN, MICHAEL JAMES

**KILPATRICK STOCKTON LLP**

THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY \* \* \*

**PERSON LOCATOR: P-SEEK**

**Name:** COWDEN, MICHAEL JAMES

**Consumer Name Last Updated:** 12/12/1998

**Current Address:** 502 S FREMONT AVE APT 232, TAMPA, FL 33606-2098

**Previous Addresses:** 1074 PEACHTREE WALK NE APT B317

ATLANTA, GA 30309-4402

Address Type: HIGH-RISE/APARTMENT

Address Created: 12/3/1996

Address Updated: 9/21/1998

921 S DECKER AVE

BALTIMORE, MD 21224-4940

Address Type: SINGLE FAMILY

Address Created: 5/19/1996

Address Updated: 3/19/1997

**Current Address Type:** HIGH-RISE/APARTMENT

**Current Address Created:** 7/18/1998

**Current Address Updated:** 12/23/1998

**Birthyear:** 1972

**Gender:** MALE

**On File Since:** 8/21/1990

**Date Vendor Record Last Updated:** 12/23/1998

Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide

Terms: (cowden and michael) and address (georgia) ([Edit Search](#))

View: Full

Date/Time: Monday, September 13, 1999 - 11:47 AM EDT

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Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide  
Terms: (leitess and james) and address (georgia) ([Edit Search](#))

*LEITESS, JAMES KENNETH*

**KILPATRICK STOCKTON LLP**

**THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY \* \* \***

**PERSON LOCATOR: P-SEEK**

**Name:** LEITESS, JAMES KENNETH

**Consumer Name Last Updated:** 5/26/1998

**Current Address:** 929 HIGHLAND TER NE, ATLANTA, GA 30306-3413

**Previous Addresses:** 39 DUNKIRK RD  
BALTIMORE, MD 21212-1706  
Address Type: SINGLE FAMILY  
Address Created: 4/17/1996  
Address Updated: 1/18/1997

7904 IVY LN  
BALTIMORE, MD 21208-3018  
Address Type: SINGLE FAMILY  
Address Created: 3/2/1995  
Address Updated: 8/17/1996

**Current Address Type:** SINGLE FAMILY

**Current Address Created:** 1/14/1997

**Current Address Updated:** 6/17/1999

**Birthyear:** 1966

**Gender:** MALE

**Telephone Number:** 404-872-5700

**On File Since:** 1/14/1995

**Date Vendor Record Last Updated:** 6/17/1999

Source: All Sources : People, Business & Asset Locators : EZFIND Combined Person Locator Nationwide  
Terms: (leitess and james) and address (georgia) ([Edit Search](#))  
View: Full  
Date/Time: Monday, September 13, 1999 - 11:51 AM EDT

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**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

September 14, 1999

E-mail: [kstark@kilstock.com](mailto:kstark@kilstock.com)  
Direct Dial: 404.685.6761

Mr. Michael J. Cowden  
502 S. Fremont Ave., Apt. 232  
Tampa, Florida 33606-2098

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leites, Cowden, and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please execute and return the enclosed document by  
October 1, 1999

Dear Mr. Cowden:

The above-identified patent application has entered into the national phase of prosecution in the U.S. Patent and Trademark Office.

A *Combined Declaration for Patent Application* should be submitted along with a copy of the enclosed Assignment to the U.S. Patent and Trademark Office in order to complete the national phase requirements. We already have your signature on the Assignment. Please review, and if appropriate, sign and date the enclosed Declaration where indicated. Please return the document to us in the pre-addressed envelope by October 1, 1999. Thank you for your assistance.

If you should have any questions, please contact Nora Tocups at 404.815.6213 as I will be leaving the firm as of September 17, 1999. Thank you again.

Very truly yours,



Karen D. Stark, Paralegal

Enclosures

ATLLIB01 837861.1

Mr. James K. Leites  
September 14, 1999  
Page 2

bcc w/o encls.: Scott Duma, Esq.  
Nora M. Tocups, Esq.  
James L. Ewing, IV, Esq.

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

September 14, 1999

E-mail: [kstark@kilstock.com](mailto:kstark@kilstock.com)  
Direct Dial: 404.685.6761

Mr. James K. Leites  
929 Highland Terrace NE  
Atlanta, Georgia 30306

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leites, Cowden, and Smith  
Our Ref: P0129/170179 US  
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Very truly yours,



Karen D. Stark, Paralegal

Enclosures

ATLLIB01 837861.1



Mr. James K. Leites  
September 14, 1999  
Page 2

bcc w/o encls.: Scott Duma, Esq.  
Nora M. Tocups, Esq.  
James L. Ewing, IV, Esq.

FC

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

September 14, 1999

E-mail: [kstark@kilstock.com](mailto:kstark@kilstock.com)  
Direct Dial: 404.685.6761

Mr. David G. Smith  
5312 S. Crescent Dr.  
Tampa, Florida 33611-4126

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leites, Cowden, and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please execute and return the enclosed document by  
October 1, 1999

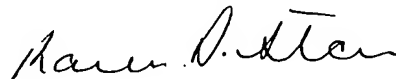
Dear Mr. Smith:

The above-identified patent application has entered into the national phase of prosecution in the U.S. Patent and Trademark Office.

A *Combined Declaration for Patent Application* should be submitted along with a copy of the enclosed Assignment to the U.S. Patent and Trademark Office in order to complete the national phase requirements. We already have your signature on the Assignment. Please review, and if appropriate, sign and date the enclosed Declaration where indicated. Please return the document to us in the pre-addressed envelope by October 1, 1999. Thank you for your assistance.

If you should have any questions, please contact Nora Tocups at 404.815.6213 as I will be leaving the firm as of September 17, 1999. Thank you again.

Very truly yours,



Karen D. Stark, Paralegal

Enclosures

ATLLIB01 837861.1

Mr. James K. Leites  
September 14, 1999  
Page 2

bcc w/o encls.: Scott Duma, Esq.  
Nora M. Tocups, Esq.  
James L. Ewing, IV, Esq.

FC

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

September 27, 1999

E-mail: [kstark@kilstock.com](mailto:kstark@kilstock.com)  
Direct Dial: 404.685.6761

Mr. Michael J. Cowden  
1074 Peachtree Walk B317  
Atlanta, Georgia 30309

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leitess, Cowden, and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please execute and return the enclosed document by  
October 5, 1999

Dear Mr. Cowden:

The above-identified patent application has entered into the national phase of prosecution in the U.S. Patent and Trademark Office.

A *Combined Declaration for Patent Application* should be submitted along with a copy of the enclosed Assignment to the U.S. Patent and Trademark Office in order to complete the national phase requirements. We already have your signature on the Assignment. Please review, and if appropriate, sign and date the enclosed Declaration where indicated. Please return the document to us in the pre-addressed envelope by October 5, 1999. We apologize for the short return date. We originally sent this letter on September 14, however, we had incorrect address information for you and our package was returned.

If you should have any questions, please do not hesitate to call me. Thank you for your assistance.

Very truly yours,



Karen D. Stark, Paralegal

ATLLIB01 837861.1

Mr. Michael J. Cowden  
September 27, 1999  
Page 2

Enclosures

bcc w/o encls.: Scott Duma, Esq.  
Nora M. Tocups, Esq.  
James L. Ewing, IV, Esq.

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555  
Web site: [www.kilstock.com](http://www.kilstock.com)

October 22, 1999

E-mail: [kstark@kilstock.com](mailto:kstark@kilstock.com)  
Direct Dial: 404.685.6761

---

• **Memorandum**

**TO:** To File 170179

**FROM:** Karen D. Stark

**RE:** Attempt to contact inventors regarding Declarations sent

I spoke with James Leites on October 21, 1999. He will put the signed Declaration in the mail the next day.

I called information on October 22, 1999 for Michael Cowden's and David Smith's phone numbers to call about the Declarations, however the numbers I received were incorrect.

**KILPATRICK STOCKTON LLP**

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

October 25, 1999

E-mail: [ntocups@kilstock.com](mailto:ntocups@kilstock.com)  
Direct Dial: 404.815.6213

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. Michael J. Cowden  
1074 Peachtree Walk B317  
Atlanta, Georgia 30309

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leitess, Cowden, and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please execute and return the enclosed document  
by November 4, 1999

Dear Mr. Cowden:

In our previous letter of September 27, 1999, we sent you a *Combined Declaration for Patent Application* for execution and return to our office. We explained submission of this form is required to continue National Phase prosecution of the above-referenced application with the U.S. Patent and Trademark Office. We also explained we already have your signature on the Assignment related to this application. We offered to answer any questions you may have related to these issues.

We again enclose the Declaration and published PCT application and ask that you review the documents. If appropriate, please sign and date the Declaration where indicated and return it to us in the enclosed pre-addressed envelope by November 4, 1999. If you do not believe it is appropriate to sign and date the Declaration, we ask that you contact the undersigned by telephone or in writing to discuss any outstanding issues.

If we do not receive the signed Declaration, or if we do not receive a communication from you as to issues related to execution of the Declaration by November 4, 1999, we will assume such lack of response is your refusal to sign the enclosed Declaration, and that such refusal is made without good cause as to the statements made in the Declaration. We then will proceed with the National Phase prosecution of this application, and we will provide the U.S. Patent Office with information as to our *bona fide* attempts to obtain your review (and if appropriate, execution) of the Declaration.

ATLLIB01 853071.1

**KILPATRICK STOCKTON LLP**

Mr. Michael J. Cowden

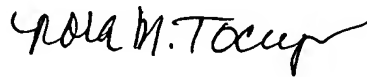
October 25, 1999

Page 2

Nevertheless, we would prefer to proceed with your cooperation. Thus, we respectfully request your review (and if appropriate, execution) and return of the Declaration, or your communication to discuss these matters.

Thank you for your review of this letter.

Sincerely,

A handwritten signature in cursive script, reading "Nora M. Tocups".

Nora M. Tocups

Enclosures



**KILPATRICK STOCKTON LLP**

Mr. Michael J. Cowden

October 25, 1999

Page 3

bcc w/o encls.: Scott Duma, Esq.  
James L. Ewing, IV  
Karen D. Stark, Paralegal

Karen Stark

Z 326 455 581

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No Insurance Coverage Provided

Mr. Michael J. Cowden

1074 Peachtree Walk B317

Atlanta, Georgia 30309

PS Form 3800, April 1995

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1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309-4530  
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USPS  
Permit No. G-10

Karen Stark  
Z 326 455 581

US Postal Service

**Receipt for Certified Mail**

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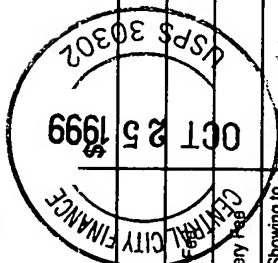
Mr. Michael J. Cowden

1074 Peachtree Walk B317

Atlanta, Georgia 30309

PS Form 3800, April 1995

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**KILPATRICK STOCKTON LLP**

F  
Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555

October 25, 1999

E-mail: [ntocups@kilstock.com](mailto:ntocups@kilstock.com)  
Direct Dial: 404.815.6213

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. David G. Smith  
5312 S. Crescent Dr.  
Tampa, Florida 33611-4126

Re: National Phase Entry in the United States of  
International Patent Application No. PCT/US97/20986 entitled  
**System for Integrated Management of Messaging and Communications**  
Inventors: Freishtat, Leitess, Cowden, and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please execute and return the enclosed document  
by November 4, 1999

Dear Mr. Smith:

In our previous letter of September 27, 1999, we sent you a *Combined Declaration for Patent Application* for execution and return to our office. We explained submission of this form is required to continue National Phase prosecution of the above-referenced application with the U.S. Patent and Trademark Office. We also explained we already have your signature on the Assignment related to this application. We offered to answer any questions you may have related to these issues.

We again enclose the Declaration and published PCT application and ask that you review the documents. If appropriate, please sign and date the Declaration where indicated and return it to us in the enclosed pre-addressed envelope by November 4, 1999. If you do not believe it is appropriate to sign and date the Declaration, we ask that you contact the undersigned by telephone or in writing to discuss any outstanding issues.

If we do not receive the signed Declaration, or if we do not receive a communication from you as to issues related to execution of the Declaration by November 4, 1999, we will assume such lack of response is your refusal to sign the enclosed Declaration, and that such refusal is made without good cause as to the statements made in the Declaration. We then will proceed with the National Phase prosecution of this application, and we will provide the U.S. Patent Office with information as to our *bona fide* attempts to obtain your review (and if appropriate, execution) of the Declaration.

ATLLIB01 858356.1

**KILPATRICK STOCKTON LLP**

Mr. David G. Smith

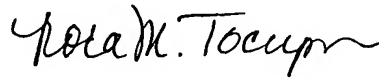
October 25, 1999

Page 2

Nevertheless, we would prefer to proceed with your cooperation. Thus, we respectfully request your review (and if appropriate, execution) and return of the Declaration, or your communication to discuss these matters.

Thank you for your review of this letter.

Sincerely,

A handwritten signature in cursive script, reading "Nora M. Tocups".

Nora M. Tocups

Enclosures

**KILPATRICK STOCKTON LLP**

Mr. David G. Smith

October 25, 1999

Page 3

bcc w/o encls.: Scott Duma, Esq.  
James L. Ewing, IV  
Karen D. Stark, Paralegal

Karen  
Stark

Z 326 455 579

US Postal Service

**Receipt for Certified Mail**

Mr. David G. Smith  
5312 S. Crescent Drive  
Tampa, Florida 33611-4126

61061/62104 5661 April 1995 PS Form 3800

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**MAIL**

Is your **RETURN ADDRESS** completed on the reverse side?

<b>SENDER:</b> ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		3. Article Addressed to:  Mr. David G. Smith 5312 S. Crescent Drive Tampa, Florida 33611-4126	
5. Received By: (Print Name)  X		4a. Article Number  Z 326 455 579	
8. Addressee's Address (Only if requested and fee is paid)		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> COD	
7. Date of Delivery		1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
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P0129/170179

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US Postal Service

**Receipt for Certified Mail**

Mr. David G. Smith  
5312 S. Crescent Drive  
Tampa, Florida 33611-4126

Karen Stark Z 326 455 579

# KILPATRICK STOCKTON LLP

Attorneys at Law  
Suite 2800  
1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Telephone: 404.815.6500  
Facsimile: 404.815.6555  
Web site: www.kilstock.com

November 23, 1999

E-mail: [ntocup@kilstock.com](mailto:ntocup@kilstock.com)  
Direct Dial: 404.815.6213

## VIA FEDERAL EXPRESS

Mr. Gregg S. Freishtat  
2078 Renfroe Lake Drive  
Atlanta, Georgia 30338

Re: National Phase Entry in the United States of International  
Patent Application No. PCT/US97/20986 entitled  
*System for Integrated Management of Messaging and Communications*  
Inventors: Freishtat, Leitess, Cowden and Smith  
Our Ref: P0129/170179 US  
Action Requested: Please review, and if appropriate, execute and return the enclosed  
new Declaration at your early convenience, and if possible, by December 6th, 1999

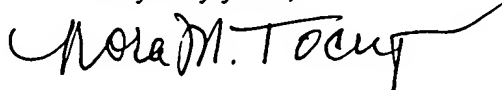
Dear Mr. Freishtat:

The above-identified patent application has entered into the national phase of prosecution in the United States Patent and Trademark Office (PTO). To complete the requirements for the national phase of this application, a *Combined Declaration for Patent Application* and an *Assignment* of the application are to be filed in the PTO. We have a fully executed Assignment (please see copy enclosed), but we do not have a fully executed *Combined Declaration for Patent Application*.

Our files include a *Combined Declaration for Patent Application* including your signature and dated July 29, 1998 (please see copy enclosed). It does not appear this document was ever filed, and it is now out-of-date at least with respect to the attorneys associated with our law firm.

We have prepared a new *Combined Declaration for Patent Application* and enclose it for your review. If appropriate, please sign and date the enclosed Declaration where indicated. Please return the document to us in the pre-addressed envelope by December 6th, 1999. Please contact the undersigned with any questions. Thank you for your assistance.

Very truly yours,



Nora M. Tocups

NMT/jw  
Enclosures

ATLLIB01 875336.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregg S. Freishtat et al.

Serial No.: **09/308,436**

Examiner:

Filing Date: November 17, 1997

Group Art Unit:

For: SYSTEM FOR INTEGRATED MANAGEMENT  
OF MESSAGING AND COMMUNICATIONS

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**DECLARATION OF NORA M. TOCUPS**

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Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

My name is Nora M. Tocups and my principal residence is at 140 Pinecrest Avenue, Decatur, Georgia 30030. I am an attorney in the Atlanta, Georgia office of the law firm of Kilpatrick Stockton, LLP, Suite 2800, 1100 Peachtree Street, NW, Atlanta, Georgia 30309 ("Kilpatrick"). I am registered to practice before the United States Patent and Trademark Office and have been assigned Registration No. 35,717. Kilpatrick Stockton LLP represents Premiere Communications, Inc. ("Premiere") generally with respect to patent prosecution matters and specifically with respect to the above-referenced patent application. I regularly render patent prosecution services to Premiere.



Based on my review of the relevant files, a provisional patent application entitled "System for Integrated Management of Messaging and Communications" was filed by Kilpatrick on behalf of Premiere on November 18, 1996 with the United States Patent and Trademark Office ("PTO"). This provisional patent application was assigned U.S. Serial No. 60/031,301. An international PCT patent application claiming priority to this provisional patent application was filed with the PCT authorities on November 17, 1997 and assigned PCT International Application Number PCT/US97/20986 ("PCT application"). The present application is the United States national phase application of the PCT application. The present application was filed on May 17, 1999, and was assigned Serial No. 09/308,436.

Also based on my review of the relevant files, I noted that efforts had been made prior to the filing of the present application to present the application papers to the inventors for their review and signature. Copies of the documents that evidence these efforts are attached as exhibits to the Declaration of Karen D. Stark ("Dec. of Karen D. Stark"), which is attached to the Petition Under 37 CFR 1.47(b) filed in the present application.

In the present application, a *Notification of a Defective Oath or Declaration, Form PCT/DO/EO/917* was received by Kilpatrick from the PTO with a mailing date of June 18, 1999. In response to the *Notification*, I instructed Ms. Stark to present the application papers again to three of the four inventors for their review and signature. Only three of the inventors were to be presented the application papers again because the files appeared to include signed application papers from the fourth inventor: Gregg S. Freishtat.

Having heard nothing nor received anything from Mr. Cowden nor Mr. Smith, on October 25, 1999 I instructed Ms. Stark to prepare and mail by Certified United States Mail follow-up packages to Mr. Cowden and Mr. Smith. These follow-up packages included a letter dated October 25, 1999 from me wherein I requested the inventors again to review the application papers, and if appropriate, to sign and return the Combined Declaration in the pre-addressed enclosed envelope. The letter asked the inventor to contact me if the inventor did not believe it appropriate to sign the Declaration. On information and belief, neither Mr. Cowden nor Mr. Smith returned anything to Kilpatrick nor contacted anybody at Kilpatrick.

The packages sent to Mr. Cowden and Mr. Smith were returned to Kilpatrick in November as "unclaimed".

After the mailing of the October 25, 1999 follow-up packages, I instructed Ms. Stark to begin work on drafting a Petition Under 37 CFR 1.47(a) for my review, revision, and execution. At the time, I believed that we had at least one of the inventors signatures on a Combined Declaration dated July 29, 1998. But I noted that the copy of the Combined Declaration bearing Mr. Freishtat's signature was only two-pages and did not include a signature block for one of the inventors. There appears to be no signature block for Mr. Smith on this two-page Combined Declaration that is executed by Mr. Freishtat.

I reviewed copies of the unexecuted Combined Declaration, which were found in the file, but these file copies were three pages long and included a signature block for each of the four inventors. On these unexecuted copies of the Combined Declaration in the file, a signature block for Mr. Smith (lacking from the two-page Combined Declaration) appears on the third page. My initial impression was that Mr.

Freishtat had signed the Combined Declaration, but had only returned the first two pages of the Combined Declaration.

A closer inspection of the unexecuted copies of the Combined Declaration in the file indicated an anomaly in the pagination. Page 1 is marked as Page 1 of 2; Page 2 is marked as Page 2 of 2; and Page 3 is marked as Page 3 of 3. Thus, I was uncertain whether the Combined Declaration that Mr. Freishtat had signed on July 29, 1998 included the third page bearing a signature block for Mr. Smith.

Based on my instructions, Ms. Stark prepared a package for Mr. Freishtat on November 23, 1999. This package was transmitted using the Federal Express overnight service. The Freishtat package included a letter dated November 23, 1999 from me and copies of the PCT application, an executed Assignment, the Combined Declaration of two pages executed by Mr. Freishtat on July 29, 1998, and a new unexecuted Combined Declaration. The letter requested Mr. Freishtat to review the enclosed materials, and if appropriate, to sign and return the new Combined Declaration in the pre-addressed envelope by December 6, 1999. Copies of the November 23, 1999 letter and Federal Express Airbill are attached as an exhibit to the Dec. of Karen D. Stark.

To this date, I have not received nor further heard from any of the inventors. On information and belief, Kilpatrick has not received an executed Combined Declaration from any of the inventors nor any other communication relating to this matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

U.S.S.N.: 09/308,436  
Filed: November 17, 1997  
For: SYSTEM FOR INTEGRATED MANAGEMENT OF MESSAGING AND COMMUNICATIONS

statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Dated: December 20, 1999 Nora M. Tocups  
Nora M. Tocups